

BYLAWS OF THE MASSACHUSETTS FOOD POLICY COUNCIL

Adopted 4 November 2011

ARTICLE I. NAME

Massachusetts General Laws, Chapter 20, Section 6C establishes the name of the Council as the Massachusetts Food Policy Council.

ARTICLE II. PURPOSE

The purpose of the council shall be to develop recommendations to advance the following food system goals for the commonwealth: (A) increased production, sales and consumption of Massachusetts-grown foods; (B) the development and promotion of programs that deliver healthy Massachusetts-grown foods to Massachusetts residents, through programs such as: (i) targeted state subsidies; (ii) increased state purchasing of local products for school and summer meals and other child and adult care programs; (iii) double coupon initiatives; (iv) direct market subsidies to communities with identified needs; (v) increased institutional purchases of Massachusetts-grown foods and other programs to make access to healthy Massachusetts products affordable, and (vi) increased access to healthy Massachusetts-grown foods in communities with disproportionate burdens of obesity and chronic diseases; (C) the protection of the land and water resources required for sustained local food production; and (D) the training, retention and recruitment of farmers and providing for the continued economic viability of local food production, processing and distribution in the commonwealth.

ARTICLE III. DUTIES AND RESPONSIBILITIES

Section 1. Reports of the Council. The council shall submit an annual report of its findings, conclusions, proposals, recommendations and progress towards reaching benchmarks provided in subsection (d) not later than December 31 except the first year when the report shall be submitted one year after the first meeting. The report shall be submitted to the governor, the president of the senate, the speaker of the house, the chairs of the joint committee on public health, the chairs of the joint committee on environment, natural resources and agriculture, the clerk of the house of representatives and the clerk of the senate.

Section 2. Recommendations of the Council. Recommendations of the council shall include benchmarks and criteria for measuring progress towards achieving each goal. In developing its recommendations, the council shall solicit public input through public hearings or informational sessions. The council shall review progress made on each of its recommendations based upon the benchmarks and criteria developed.

Section 3. Recommendations of the Council to be Considered. Recommendations that the council shall consider shall include, but shall not be limited to, methods by which the following may contribute to achieving the food system goals: (i) increased collaboration and communication between state agencies; (ii) increased collaboration and communication between state and federal agencies; (iii) innovative public-private partnerships; (iv) institutional purchasing agreements; (v) changes to state or federal laws or regulations; (vi) changes in the manner in which state and federal programs are implemented; and (vii) additional federal, state, local or private investments.

ARTICLE IV. MEMBERS

Section 1. Members and Appointment. The council shall consist of 17 members, 1 member of the house of representatives; 1 member of the senate; 1 member of the house of representatives appointed by the minority leader of the house of representatives; 1 member of the senate appointed by the minority leader of the senate; 1 member who is the commissioner of agricultural resources, or the commissioner's designee; 1 member who is the commissioner of public health, or the commissioner's designee; 1 member who is the commissioner of elementary and secondary education, or the commissioner's designee; 1 member who is the commissioner of environmental protection, or the commissioner's designee; 1 member who is the commissioner of transitional assistance or the commissioner's designee; 1 member who is the secretary of housing and economic development, or the secretary's designee; and 7 member who is appointed by the governor, 1 member who is a farmer or representative of a farm organization, 1 member who represents food distribution, processing and marketing interests, 1 member who represents direct-to-consumer marketing efforts, 1 member who represents a local health department addressing food safety and nutrition, 1 member who is an expert in food safety, 1 member who is an expert in food processing and handling, and 1 member who represents community-based efforts addressing nutrition and public health.

Section 2. Terms of Office of Members. Members of the council shall be appointed for terms of 3 years or until a successor is appointed. Members shall be eligible for reappointment. In the event of a vacancy, the original appointing authority shall, within 60 days of the occurrence of a vacancy, appoint a new member in accordance with Section 1 to fulfill the remainder of the unexpired term. Members of the council shall serve without compensation.

ARTICLE V. OFFICERS

Section 1. Officers and Duties. The Officers of the Council shall consist of a Chair, a Vice-chair, and a Secretary. Each officer shall have the powers, duties, and functions as prescribed by the laws of the Commonwealth, by these Bylaws, and by the manual of parliamentary authority.

Section 2. Terms of Office. The Officers shall be elected by ballot by the members of the Council at the annual meeting. Their terms shall begin at the close of the annual meeting and shall serve for two years. An Officer may be removed by a two-thirds vote of the Council with a thirty-day notice to the Council that a vote to remove an Officer will take place. The Council may fill any vacancies in offices by ballot vote for the remainder of a term. The Nominating Committee may nominate individuals to fill vacancies and nominations may also be made from the floor. A minimum thirty-day Notice must be given for a vote to fill a vacancy.

Section 3. Nominations of Officers. The nominating committee shall nominate a candidate for each office and shall report nominations at the meeting immediately preceding the Annual Meeting. Once the Nominating committee has made its report, the Chair shall call for nominations from the floor. When nominations are closed, the names of nominees for each office shall be placed on a ballot in alphabetical order and presented to the Council at the annual meeting at which time members shall vote. If no nominations for a candidate are made from the floor, the Chair shall declare the nominee of the Nominating Committee the officer-elect and no further election for that officer is necessary.

Section 4. Nominating Committee. The Nominating Committee shall have five members chosen from the Council who shall serve for one year. The chair of the Nominating Committee shall be the Vice-chair of the Council. The remaining four members shall be nominated from the floor at the annual meeting and shall be elected by a majority vote of the Council. The Nominating Committee shall have all the duties, powers, and responsibilities of these bylaws.

ARTICLE VI. MEETINGS

Section 1. Regular Meetings. The Regular Meetings of the Council shall be on the first Friday of March, June, September, and December unless otherwise ordered by the Council. All meetings shall be public and held within the Commonwealth.

Section 2. Annual Meeting. The Regular Meeting on the first Friday of December shall be the Annual Meeting. The order of business of the annual meeting shall include elections of officers and committee members as well as annual reports of committees.

Section 3. Special Meetings. Special meetings of the Food Policy Council may be held at the call of the Chair or at the written request to the Chair of five members. The Chair shall determine the time and place of Special meetings, and must notify the Secretary for proper notice.

Section 4. Notice of Meetings. All meetings shall be noticed in accordance with the Open Meeting Laws of the Commonwealth. Written notice of each regular meeting of the Food Policy Council shall be sent to each member at least seven days

prior to the date of the meeting and shall contain the time and place of the meeting. Notices shall be sent by postal mail unless a member who wishes to receive notices by e-mail files a written statement with the Secretary which states the request and e-mail address to which notices must be sent.

Section 5. Quorum. The number of members necessary to constitute a quorum for the transaction of business shall be a majority of the Council.

ARTICLE VII. COMMITTEES

Section 1. Standing Committees. The standing committees of the Council shall be an Advisory Committee and a Bylaws Committee. The Council may create other committees as it deems necessary to carry out the purpose of this section. The advisory committee and any other committees shall serve at the direction of the council to conduct research and analysis as needed and invite additional stakeholder participation to address issues identified by the council as requiring further study or particular expertise. The Chair or his designee shall be an ex-officio member of all committees except the Nominating Committee.

Section 2. Advisory Committee Members, Nominations, Election, and Terms of Office. (a) The Council shall have an Advisory Committee. The Advisory shall consist of the following members: 2 shall be active farmers or who shall represent farmer associations; 1 shall represent an organization engaged in farmland protection and conservation; 1 shall represent an organization engaged in developing new farm businesses, urban and community supported agriculture, community gardening, immigrant and refugee farming or youth education through agriculture; 1 shall represent the cooperative extension service at the University of Massachusetts at Amherst; 1 shall represent food distribution, processing and marketing interests; 1 of whom shall represent a school of nutrition or public health; 1 shall represent a community-based coalition or health care provider addressing obesity and chronic disease; 1 shall represent citizens in need of transitional assistance; and 1 represent an anti-hunger organization.

(b) The Council may from time to time alter the makeup of the Advisory Committee beyond the minimum set forth in this Section by a special rule of order.

(c) Advisory Committee members shall be appointed by a majority ballot vote of the Council at the Annual Meeting and shall serve for two years or until a successor is elected.

(d) The Nominating Committee shall nominate individuals to serve on the Advisory Committee. The Nominating Committee shall solicit names of individuals to be considered from representative groups in subsection (a). Submissions must include the individual's name, contact information, statement of agreement to serve, and biographical statement and resume. The Council shall establish a Special Rule of Order that lists organizations in each group from which the Nominating Committee shall solicit candidates for each represented group. The Nominating Committee shall review this

Special Rule of Order at least annually and make a recommendation to the Council for any changes.

(e) The Nominating Committee shall make a nomination for each seat on the Advisory Committee at the Regular meeting immediately preceding the Annual Meeting. Once the Nominating Committee has made its report, nominations may be made from the floor for each of the seats in addition to the nominations made by the nominating committee.

(f) The Nominating Committee shall place all nominations on a ballot for use in elections at the Annual Meeting.

Section 3. Bylaws Committee. The Bylaws Committee shall consist of three members appointed by the Chair at the Annual meeting and shall serve for one year. They shall be responsible for periodically reviewing the Bylaws, special rules of order and standing rules and offer amendments or revision as they deem necessary. The Bylaws Committee shall have the duties as the Council shall assign from time to time.

ARTICLE VIII. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Roberts' Rules of Order Newly Revised* shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, special rules of order of the Council, or with the laws of the Commonwealth of Massachusetts.

ARTICLE IX. AMENDMENT OF THE BYLAWS

These Bylaws may be amended, revised or repealed by a two-thirds vote at any meeting provided, however, that the text of any amendment, revision or repeal as originally proposed shall be sent to each member at least fifteen days before the meeting at which such action is to take place.